THE HON'BLE SRI JUSTICE C.V.RAMULU

W.P.No.31043 of 1998

Dated:22.08.2007

Between
G.V. Durga Rao

.....Petitioner

and

1.The Registrar, Acharya N.G
Ranga Agricultural University,
Rajendra Nagar, Hyderabad
And another.

...Respondents

THE HON'BLE SRI JUSTICE C.V.RAMULU

W.P.No.31043 of 1998

ORDER:

This writ petition has been filed seeking a Mandamus to direct the respondents to regularize the services of the petitioner as Lecturer in English in the respondent-University in terms of order dated 11.3.1998 in WP No.1694 of 1998 and batch with all consequential benefits.

According to the petitioner, he was appointed as a part-time Lecturer in 2nd respondent-College *vide* proceedings No.A1/1830/94, dated 4.1.1995 and was paid remuneration of Rs.2700/- per month. Since then, he has been working in the said College up to filing of this writ petition and had completed more than three years of service. Therefore, he is entitled for regularization of

his service in the post of Lecturer. Though interview was conducted, no weightage marks were given for the service rendered by him and thus he was not selected. In fact, under similar circumstances, WP No.10533 of 1993 and batch was filed before this Court by part time lecturers of Osmania University and the same was disposed of on 22.9.1998 following a Division Bench Judgment, directing regularization of their services as lecturers. Meanwhile, another batch in writ petition No.1694 of 1997 dated 11.3.1998 was disposed of directing regularization of part-time lecturers working in the Osmania University. Questioning the same W.A.No.1080 of 1998 was filed and the same was disposed of on 14.7.1998 by a Division Bench. Following the said order, several other writ petitions were also disposed of. In all these cases part time lecturers were working from 2 to 5 years. In spite of this, the case of the petitioner was not properly considered. Now, the respondents are

going to terminate the service of the petitioner. Therefore, the present writ petition is filed.

Though on 9.11.1998 interim direction was granted, the same was vacated on 12.8.1999 and the petitioner is not in service as of now for the last more than 7 years.

On behalf of the respondents, a detailed counter affidavit has been filed denying the allegations made by the petitioner. It is stated that the posts of Assistant Professors carry the University Grants Commission scale of pay of Rs.2200-4000 as per Government of Andhra Pradesh Lr.Ms.No.906/Food & Agriculture (Agri.III) Department, dated 20.12.1988 and issued in University Proceedings No.1462/BG/A/88, dated 28.12.1988. In the said orders, the conditions of service including the recruitments to the posts shall be on the basis of merit through All India Advertisement and selection. Accordingly, the University has notified among others, the vacancies of Assistant Professors in English, through

Advertisement No.1/RC/1997 dated 6.1.1997. Further, a selection committee was constituted under the provisions of sub-Section (i) of Section 32 of Acharya N.G.Ranga Agricultural University Act, 1963, for interviewing the candidates and to recommend the panel of names based on merit and suitability of candidates for approval of the Board of Management. 107 candidates who fulfilled the essential qualifications prescribed to the posts were called for interview on 10.9.1998 and 11.9.1998. Two vacancies of Assistant Professors were advertised, which were earmarked one for OC and another for SC (women). As per statute referred to above, the petitioner was called for interview and considered against the OC vacancy. Out of 107 candidates, the selection committee unanimously recommended panels which were approved by the Board of Management, in which the petitioner was not selected for the post. In fact, the petitioner has indicated in

his application that he has experience as part-time Lecturer and as Junior Lecturer in private college. His case was not considered as no weightage marks can be given to such experience as per the recruitment regulations.

The only ground urged before this Court is that the petitioner though had put in sufficient service was not given weightage marks. Even according to the petitioner, the experience put in as a part-time Lecturer in a private junior college which according to the respondents cannot be considered for awarding weightage marks for the purpose of selection. Therefore, the stand taken by respondents in rejecting the case of the petitioner cannot be said to be either arbitrary or illegal. The writ petition is devoid of merits and is liable to be dismissed.

Accordingly, writ petition is dismissed. No costs.

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22-08-2007

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